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AT DANVILLE, VA
FILED
for Roanoke
MAY 28 2013
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IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION

LOUIS ROY CHAPMAN,) Case No. 7:12-cv-00389
)
Plaintiff,)
) FINAL ORDER
v.)
) By: Hon. Jackson L. Kiser
ROMA WILLIS, et. al.,) Senior United States District Judge
)
Defendants.)

In accordance with the accompanying memorandum opinion, it is hereby

ORDERED AND ADJUDGED

that the motion for summary judgment (Docket No. 51) is **GRANTED** in part and **DENIED** in part as follows:

- (1) The motion is **GRANTED** as to plaintiff's claims under PREA, VDOC Operating Procedures and Virginia criminal statutes and claims 2, 3, 6(c) and 7(c).
- (2) The motion is **GRANTED** as to claims 4, 5, 6(a) and (b), 7(a) and (b), 8 and 9, on the ground of failure to exhaust administrative remedies as required by 42 U.S.C. § 1997e(a) and these claims are dismissed without prejudice.
- (3) The motion is **DENIED** as to plaintiff's Eighth Amendment claim against Willis.

The Clerk is directed to terminate as parties all defendants except Willis. The Clerk is further directed to send a copy of this order and the accompanying memorandum opinion to the parties.

ENTER: this 28th day of May, 2013.

Jackson L. Kiser
Senior United States District Judge